

San Marino, Huntington Library, HM 00923

Description: ff. ii + i + + 217 + ii - Bound, s. XVII, in English parchment over pasteboards, gold tooled; on spine "M.S.S." stamped in gold on blue leather label; "Statutes of Edward I" lettered in ink, s. XVIII, below the label; at the bottom of the spine, an animal (?) stamped in gold. - Numerous references in the text to Scarborough point to early ownership in that town. On f. iii, penitentials, s. XV, including "dymnok" and "kalwater." On f. 215v, s. XV, "Iohannes Vear miles de Comitatu Essex," "Iohannes Veer," and "Omnibus christi fidelibus ad quos hoc presens scriptum pervenerit Iohannes Vear Armiger salutem in domino sempiternam"; notes in Vear's hand also on ff. 81, 94, 108. On f. 207v, s. XVII/XVIII, "Will Shallcrosse Booke," "John Shallcrosses Book," and "Jhon Shallcross Book Jhon" in a different hand. On the front pastedown, armorial bookplate of Holland House with motto "Vitam impendere vero," and Huth bookplate with traces of Huth's original, larger bookplate on the endpaper behind it. Acquired by Henry Huth (1815-78) from Quaritch in 1875; The Huth Library (London 1880) 4:1397. - C. W. Dutschke with the assistance of R. H. Rouse et al., Guide to Medieval and Renaissance Manuscripts in the Huntington Library (San Marino, 1989). De Ricci, 78. Legal Manuscripts, n. 6 open at f. 1.

Number of Parts: 2 - *Number of Images Available:* 0

Direct Link: http://ds.lib.berkeley.edu/HM00923_43

Language: Latin Latin; French French *Country:* England *Century:* 14th 13th

Gallery of Images for this Manuscript: http://dpg.lib.berkeley.edu/webdb/dsheh/heh_br?CallNumber=HM+923

Part 1: ff. 1-217v

Description: - Parchment - 154 x 230 mm - 1-3⁸ 4⁴^4# 5-9⁸ 10⁴(through f. 72) 11¹² 12-22⁸ 23¹² 24-25⁸ 26⁴(through f. 204) 27² 28¹⁰(-9; +2 leaves at the end). Catchwords in inner lower margin. Usually 28-32 long lines, ruled in lead, with double vertical bounding lines for the written space, and with additional sets of double rules in the 3 outer margins; slash prick marks in the 3 outer margins.

Country: England

Cardinal point:

Region:

City:

Assigned Date: s. XIV^{2/4}

Searchable Date Range: 1325 - 1350

Dated by scribe: No

Inscribed Date:

Document: No

Number of Scribes: ;1 main scribe and possibly as many as 8 others

Script: Anglicana

Other Decoration: 6- to 4-line parted red and blue initials infilled with grotesques in void technique on ff. 1, 133, 149; the initial on f. 1 also with red and blue cascade border, the others with red and blue flourishing; 6- to 2-line parted red and blue initials with infilling of leaf designs; 4- to 2-line alternating red initials with blue flourishing or blue with red.

Notes: Latin

Number of Texts: 18

Text 1: ff. 1-214v; ff. 215-217v blank

Title: Statuta vetera

Language(s): Latin; French

Notes: See below for 17 other texts that occupy sections of this codex. On ff. 209-210v, list of contents of the volume (for ff. 1-140v), followed by chapter lists of the Magna Carta, of the provisions of Merton, of the statutes of Marlborough, Westminster I, Gloucester and Westminster II.

Text 2: f. 8r-v

Title: Sententia lata super cartas

Title: Incipit sententia super cartas lata

Language(s): French

Incipit: En le noun del pere e del fiz e seynt esprit. Cum nostre seignur le Roi al honur de dieu e del seynt eglise e a comun profit de tut le Reaume est grante pur luy. . . Nous Roberd Ercevesqe de Caunterbury e Primat de tut Engleterre amovescoms un foiz deus foiz e trois foiz puisse qe le breffe du tems plus longe delaie

Explicit: e de touz les sacrementz de seynt Eglise desceveroms. Fiat fiat amen.

Text 3: ff. 51v-52, 144v-145, 149-200v, 208v, 211v-212

Title: Materials relating to Scarborough

Language(s): Latin

Notes: For the register of writs on ff. 149-200v, please see entry for that text.

Text 4: ff. 73-84

Title: Fet asaver

Language(s): French

Incipit: Fet asaver a comencement de chesqun ple q est plede en la court le Roy. . . [f. 83v:] s'il n'ad renable enchesoun pur quay il n'y ad fet venir. Rex vicecomiti salutem. Precipimus tibi sicut alias tibi Precepimus quod corpus Rogeri Glere de Linne

Explicit: oportebit de corpore suo vel de predicto debito respondere. Et habeas ibi hoc breve. Explicit summa Fet asaver.

Notes: G. E. Woodbine, ed., *Four Thirteenth Century Law Tracts* (Yale University Press 1910) 53-115, followed straight on by a writ to arrest Roger Glere de Linne in execution of a recognizance made at Shrewsbury before Thomas Callou and Robert de Bockesers, clerk of the recognizances, to pay a debt to Richard, son of Richard de Bergh on 24 August 1299.

Text 5: ff. 84-104

Title: Hengham Magna

Title: Incipit Magnum Heyngham

Language(s): Latin

Incipit: Licet ordo placitandi in curia domini Regis per leges et consuetudines Regni

Explicit: si docatur quod is de cuius seisina petit actor non fuisse in seysina rei petite tempore Ricardi Regis Avunculi Regis Henrici patris regis Edwardi sic peremptorie deciditur actio actoris. Explicit Summa Magnum Heyngham.

Notes: W. H. Dunham, ed., *Radulphi de Hengham Summae* (Cambridge 1932) 1-50.

Text 6: ff. 104-109v

Title: Summa bastardie

Title: Incipit summa Bastardye

Language(s): Latin; French

Incipit: Nota quod si Bastardus se clamando legitimum heredem

Explicit: quamvis uxor infantis obierit dum fuerit in custodia. Nota si un home cleyme par meme le descent en bref de possession e l'autre met encontre Ly q'il est bastard qe unkes son pere esposa sa mere deit estre deit estre [sic] pris en la Curt le Roy. Explicit summa Bastardye.

Notes: Woodbine, *Four Thirteenth Century Law Tracts*, p. 1 and n. 3.

Text 7: ff. 109v-118v

Title: Hengham Parva

Title: Incipit Parvum Heyngham

Language(s): Latin

Incipit: Quinque sunt essonia primum de ultra mare secundum de terra sancta. . .si compertus fuisset tenens.

Homagium est iuris vinculum quo quis astringitur ad warrantizandum

Explicit: et si uterque consenserit potest homagium dissolvi quia nichil tam naturaliter et cetera. Explicit Summa Parvum Heyngham.

Notes: Dunham, *Radulphi de Hengham Summae*, 51-71; for the passage "Homagium est iuris vinculum. . .," see G. E. Woodbine, ed., *Bracton on the Laws and Customs of England*, trans. and with notes by S. E. Thorne (Harvard University Press and the Selden Society 1968-77) 2:228.

Text 8: ff. 118v-123v

Title: Modus componendi brevia

Title: Incipit Summa Cum Sit Necessarium

Language(s): Latin

Incipit: Cum sit necessarium conquerentibus in Curia domini Regis ut in suis casibus congruum exhibeatur remedium

Explicit: licet antecessor conquerentibus de pastura illa fuerit disseisitus. Explicit summa cum sit Necessarium.

Notes: Woodbine, *Four Thirteenth Century Law Tracts*, under the title "Modus componendi brevia," pp. 143-59, ending incomplete with respect to the printed text.

Text 9: ff. 123v-126

Title: De corona

Title: Incipit tractatus de Corona

Language(s): Latin

Incipit: Eodem modo quo quis feloniam facere potest interficiendo alium idem feloniam facere potest interficiendo se ipsum

Notes: nec sunt per plegios dimittendi nisi sit ex speciali precepto domini Regis et tunc fiat de hiis quod ser___?___itis fit de aliis et cetera. Explicit tractatus Corone.

Text 10: ff. 126v-128

Title: Articuli corone

Title: Incipiunt articuli corone

Language(s): Latin

Incipit: Dictum est ut supra quod nemo potest habere Curiam suam de probatore et latrone cognoscente videamus ergo que placita pertinent ad Curiam et que ad Comitatum

Explicit: quod femine imponunt viro alicui de quo se dicit violenter oppressam et contra pacem domini Regis. Explicit Officium Corone.

Text 11: ff. 129-130

Title: De antiquo dominico corone

Title: Incipiunt statuta de antiquo dominico Corone

Language(s): Latin

Incipit: Licet in antiquo dominico Corone non currat aliquod breve nisi parvum breve de Recto clausum

Explicit: propter quod si ego fuisset assignatus Iusticiarius ego secure procedere ad assisam sicut conueti [sic for "consuevi"] quid alii faciunt ignoro et cetera.

Notes: A. J. Horwood, ed., *Year Books of the Reign of King Edward the first*, years XX and XXI. RS 39 pt. 16 (London 1866) xviii-xix, here ending incomplete with respect to the printed text.

Text 12: ff. 133-140v; f. 141r-v blank

Title: Cedit assisa

Title: Incipit quedam summa cedit assisa

Language(s): Latin

Incipit: Edwardus dei gratia Rex Anglie Dominus Hibernie et dux Aquitanie vicecomitibus London. salutem. Si Willelmus de Kyrkeby. . ., Cedit assisa si petatur tenementum vel servicium per assisam

Explicit: sic inde [cancelled] probatur ___?___ recte ut de Itinere W[illelmi] de R[alegha] in Comitatu [catchword:] Cantie//

Notes: See Woodbine, Four Thirteenth Century Law Tracts, p. 1 and n. 4 giving references to Bracton; the text is preceded by an assize of mort d'ancestor by William of Kyrkby in the time of Edward I.

Text 13: ff. 143v-144

Title: Medical astrology

Language(s): Latin

Incipit: Mens Ianuarius vinum ieiunus bibe

Notes: Other texts in this section include: Magister philosophorum computavit omnes malos dies tocius anni periculosos et sunt xxxta duos dies. . .[list of the dies nefasti or aegyptiaci in each month for beginning a new project, bloodletting or taking medicine]; Si quis in septimo die mensis marci de dextro brachio sanguine minuerit. . .[bloodletting on special days to avoid loss of eyesight and fevers; special days in which to be born so as to never fall ill].

Text 14: f. 145

Title: Claim to liberties

Language(s): Latin

Incipit: Iste libertates clamant habere ab antiquo. Burgenses clamant rendere dare et legare terras suas in lecto mortali

Explicit: Item habent placita que pertinent ad portum maris.

Text 15: ff. 145v-146

Title: Against abuses

Language(s): Latin

Incipit: De Articulis qui domini Regis scutagium contingunt. De magnatibus et aliis venientibus hospitaturis ad domos Religiosorum per gubernatorem earundem

Explicit: secundum quod in eisdem statutis continetur.

Notes: Index of articles, largely against abuses by royal and franchisal officers.

Text 16: ff. 146v-148

Title: Incipiunt Cronice Anglie Chronology of England

Language(s): Latin

Incipit: Scire cupiens quis subscriptas interrogaciones de cronicis ponat prius annum dominicum in presenciarum ultimum. . .; Sepes trina canes et equus hominesque subaddas/ Cervos et corvos aquilas in maria cete. . .; Anni ab origine mundi ___?___ septuaginta interpretes sunt. Anni ab incarnatione domini xxvus die marci

Explicit: Qui vus die februarii in Angliam rediens xx die mensis eiusdem apud Westmonasterium est coronatus.

Notes: Computistic material, 5 verses to determine the number of years between Adam and Christ, and a brief chronology from the birth of Christ to the coronation of Edward II in 1308; material on ff. 201-202 possibly intended as a continuation of this text. On f. 148, medical recipe added by a different hand. On ff. 148-149, writ in French to the sheriff of Yorkshire.

Text 17: ff. 149-200v

Title: Register of writs

Language(s): Latin

Notes: Register of writs, beginning with a writ of right brought by William of Scarborough against H. de Rostoun; text ends defectively in a writ to the justices of the forest beyond the Trent concerning the lawing of dogs.

Text 18: ff. 201-202

Title: Chronology of England

Language(s): Latin

Incipit: Anno domini Mo CCCo xi quinto kalendas Octobris ordinaciones cum exilio petri de gaveston cui Rex Edwardus filius Regis Edwardi contulit comitatum cornubie

Explicit: interfecti sunt scotti xxx Milia per Regem Edwardum tercium post conquestum.

Notes: Chronology of the years 1311-33, apparently intended as a continuation of the material on ff. 146v-148.

Part 2: f. 1r-v

Description: - Parchment - 140 x 223 mm - 10 lines of text and music

Country: England

Cardinal point:

Region:

City:

Assigned Date: s. XIII

Searchable Date Range: 1200 - 1299

Dated by scribe: No

Inscribed Date:

Document: No

Number of Scribes:

Music: English square notation on 4-line red staves.

Notes: Constitutes flyleaf, f. iii, in the parent volume. Latin

Text 1: f. 1r-v

Title: Gradual

Language(s): Latin

Notes: For the mass of the third Sunday in Lent and the following Monday.